	Application No.		Applicant(s)	
Notice of Allowability	10/017,870		HUANG, DOUG HUI	
	Examin r		Art Unit	<u> </u>
	Kenneth R F	orlick	1637	
The MAILING DATE of this communication appears on the cover sheet with the correspondenc address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.				
 This communication is responsive to the response filed 08/21/03 and interview of 10/23/03. The allowed claim(s) is/are 17 and 19-21 (final claims 1-4). The drawings filed on 12 December 2001 are accepted by the Examiner. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). All Some* None None Certified copies of the priority documents have been received. Copies of the certified copies of the priority documents have been received in Application No. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: 				
 5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). (a) The translation of the foreign language provisional application has been received. 6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 				
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.				
 8. CORRECTED DRAWINGS must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No (b) including changes required by the proposed drawing correction filed, which has been approved by the Examiner. (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No 				
Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.				
9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.				
Attachment(s) 1 ☐ Notice of References Cited (PTO-892) 3 ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5 ☑ Information Disclosure Statements (PTO-1449), Paper No. 1. 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	(3 pages)	2☐ Notice of Informa 4☑ Interview Summa 6☑ Examiner's Amer 8☑ Examiner's State 9☐ Other .	ary (PTO-413), Paper adment/Comment	No

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1. It is noted that examination of this application is now being handled by a different examiner.

2. EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Barry Wilson on 10/23/03.

The application has been amended as follows:

Amend claims 19 and 21 as follows:

19. (amended) A kit comprising:

one or more extension primers consisting of an oligonucleotide optionally comprising 17-50 bases in length at its 5' end, and comprising at the 3' end a sequence selected from the group consisting of SEQ ID NOS: 1-4; and

instructions for performing a method using said one or more extension primers.

21. (amended) The kit of claim 19, further comprising one or more amplification primers having sequences selected from the group consisting of SEQ ID NOS: 5-8.

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3. The following is an examiner's statement of reasons for allowance: no prior art

has been found teaching or suggesting an oligonucleotide comprising any of SEQ ID

NO:1-8. It is noted that upon consideration of the specification, the phrase "consisting

essentially of" in claim 17 has been interpreted as open language, similar to

"comprising".

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kenneth R Horlick whose telephone number is 703-308-

3905. The examiner can normally be reached on Monday-Thursday 6:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gary Benzion can be reached on 703-308-1119. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

0196.

New the Horlick Ph. D. Kenneth R Horlick

Primary Examiner

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ALLOWED CLAIMS/ TJ

17. (Previously presented) An oligonucleotide consisting essentially of a sequence selected from the group consisting of SEQ ID NOS: 1-8.

19. (Previously presented) A kit, comprising:

one or more extension primers consisting of an oligonucleotide 17-50 bases in length, comprising at the 3' end a sequence selected from the group consisting of SEQ ID NOS: 1-4; an

instructions for performing a method using said one or more extension primers to perfon said assay.

- 20. (Previously presented) The kit of claim 19, wherein said extension primer(s) are selected from the group consisting of SEQ ID NOS: 1-4.
- 21. (Previously presented) The kit of claim 17, further comprising one or more amplification primers having sequences selected from the group consisting of SEQ ID NOS: 5-8